

REMARKS

By this amendment, claims 15 and 17 have been amended. Accordingly, claims 1, 8, 15, 17, 19, 21, 23, and 25 are currently pending in the application, of which claims 1, 8, 15, and 17 are independent. Applicants appreciate the indication that claims 1, 8, 19, and 21 are allowed.

Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification. Support for the amendments may be found at least at page 9, line 19 to page 10, line 17, and at page 12, lines 11-16 of the specification.

In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Rejections Under 35 U.S.C. § 103

To establish an obviousness rejection under 35 U.S.C. § 103(a), four factual inquiries must be examined. The four factual inquiries include (a) determining the scope and contents of the prior art; (b) ascertaining the differences between the prior art and the claims in issue; (c) resolving the level of ordinary skill in the pertinent art; and (d) evaluating evidence of secondary consideration. *Graham v. John Deere*, 383 U.S. 1, 17-18 (1966). In view of these four factors, the analysis supporting a rejection under 35 U.S.C. 103(a) should be made explicit, and should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *KSR Int'l. Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 82 USPQ2d 1385, 1396 (2007). Furthermore, even if the prior art may be combined, the combination must disclose or suggest all of the claim limitations. *See in re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claims 15 and 23 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent Application Publication No. 2003/0054863 applied for by Lee, *et al.* ("Lee") in view of U.S. Patent No. 6,687,362 issued to Lindquist, *et al.* ("Lindquist").

Even if the cited references could be combined, they fail to disclose every feature of claim 15 as amended.

The examiner concedes that Lee fails to disclose every feature of claim 15, and looks to Lindquist to remedy Lee's shortcomings. However, neither Lee nor Lindquist, alone or in combination, discloses "wherein the caller information received at the RF receiver is automatically updated in the mobile terminal" (emphasis added).

Specifically, Lindquist falls short in remedying Lee's shortcomings in at least two regards. First, according to claim 15, the caller information is received at the RF receiver "during a voice call over a forward traffic channel after a call connection is set up." Since the automatic updating of claim 15 takes place with regard to "caller information received at the RF receiver," the automatic updating takes place during or after the "voice call over a forward traffic channel after a call connection is set up." Before the voice call, and before the call connection is set up, the RF receiver has not yet received the caller information, which therefore cannot be updated yet.

According to Lindquist, the automatic address book update system 10 is incorporated into a Local Exchange Carrier (LEC). See, e.g., Lindquist, col. 3, lines 38-42; col. 6, lines 12-25. In this scenario, the LEC is upstream of the subscriber's terminal T1, and so the updating takes place before a call connection is set up with the terminal T1. For example, as shown in Lindquist's Fig. 3, Step 309 (Update User's Address Book) occurs before Step 304 (Place Call). See also Lindquist, col. 5, line 59 to col. 6, line 3. Therefore, Lindquist does not disclose

automatically updating "caller information [received at the RF receiver] during a voice call over a forward traffic channel after a call connection is set up."

Second and similarly, Lindquist fails to expressly disclose that "caller information" is received by an RF receiver of a mobile terminal, and that "the caller information received at the RF receiver is automatically updated." Rather, as disclosed, the caller information is received at the user's address book, which is stored, for example, at Web site 100. Lindquist, col. 4, lines 28-30.

Lindquist discloses that "the subscriber's address book ... can reside (at least in part) on the subscriber's terminal equipment T1." Lindquist, col. 3, lines 57-59. Databases AT and BT are shown as connected to the computer of terminal equipment T1. Fig. 1A. However, Lindquist discloses that the locally stored address book database BT on the subscriber's personal computer can be updated "when the subscriber accesses their address book which is stored on the Web site 100 ... to maintain consistency between the two address books." And in this circumstance, the address book database BT is not updated by "caller information received at the RF receiver" during a voice call over a forward traffic channel after a call connection is set up. (emphasis added). Moreover, this manner of updating the locally stored address book database BT requires the subscriber to access the address book on the web site 100, which therefore fails to disclose "the caller information received at the RF receiver is automatically updated." (emphasis added).

For at least these reasons, Lindquist fails to disclose at least "wherein the caller information received at the RF receiver is automatically updated in the mobile terminal." Further, for at least these reasons, Lee in view of Lindquist fails to disclose every feature of claim 15 as amended.

Claims 17 and 25 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Lee in view of U.S. Statutory Invention Reg. No. H1714 filed by Partridge, III ("Partridge").

Even if the cited references could be combined, they fail to disclose every feature of claim 17 as amended.

The examiner concedes that Lee fails to disclose every feature of claim 17, and looks to Partridge to remedy Lee's shortcomings. However, neither Lee nor Partridge, alone or in combination, discloses "wherein the service system stores the data as a data packet until the receiving party can receive the caller information." (emphasis added).

The examiner looks to Partridge's col. 5, lines 44-51 for disclosing circumstances where "the called terminal can receive caller data." Office Action, page 4. However, Partridge fails to disclose that the image storage unit 50 "stores the data as a data packet until the receiving party can receive the caller information."

For at least these reasons, Lee in view of Partridge fails to disclose at least these features of claim 17 as amended.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 15 and 17. Claims 23 and 25 depend from claims 15 and 17, respectively, and are allowable at least for this reason. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claims 15 and 17, and all the claims that depend therefrom, are allowable.

Allowable Subject Matter

Applicants appreciate the indication that claims 1, 8, 19, and 21 are in condition for allowance.

CONCLUSION

A full and complete response has been made to the pending Office Action and all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, all pending claims are allowable and the application is in condition for allowance.

The Examiner is invited to contact Applicants' undersigned representative at the number below if it would expedite prosecution. Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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